## REMARKS

Claims 10-12 are pending in the present application. No amendment has been presented. No new matter has been added. It is respectfully submitted that this Amendment is fully responsive to the Office Action dated June 30, 2005.

### Drawings:

The drawings stand objected to in item 4 of the Action due to the mis-spelling of the phrase "MEMORY CONTROL" in Fig. 4. However, Fig. 4 has been amended to correct this minor informality. Accordingly, withdrawal of this objection is respectfully requested.

### Title:

The title stands objected to in item 5 of the Action as being non-descriptive. However, it is submitted that the title has been amended to overcome this objection. Accordingly, withdrawal of this objection is respectfully requested.

### Specification:

The specification stands objected to in item 6 of the Action due to the misspelling of the word "quantization" on page 7 of the application. However, it is submitted that the specification has been amended to overcome this objection. Accordingly, withdrawal of this objection is respectfully requested.

## As to the Merits:

As to the merits of this case, the Examiner sets forth the following rejection:

claims 10-12 stand rejected under 35 USC 102(e) as being anticipated <u>Tsujino et al.</u> (U.S.

Patent No. 6,903,776).

This rejection is respectfully traversed.

Independent claim 10 calls for *a digital camera that periodically creates, until a*

*recording instruction is issued, a first still image corresponding to an object scene which is*

*incapable of being displayed in real time, and creates, when the recording instruction is issued,*

*a second still image corresponding to the object scene so as to record into a recording medium*

*in a compressed manner, comprising: a calculator for calculating a specific compression ratio*

*coefficient in which the first still image can be compressed up to a specific size.*

For example, as illustrated in Fig. 3 of the present application, until a recording

instruction is issued, that is, when it is determined that the shutter button 48 has not been

operated in step S7, a first image corresponding to an object scene which is incapable of being

displayed in real time is created. More specifically, when the vertical synchronization signal is

generated in a state that the shutter button 48 is <u>not</u> operated, the process proceeds from step S9

to step S11 so as to instruct the JPEG codec 34 to perform the JPEG compression. The JPEG codec 34 reads the YUV signal from the display image area 28a through the memory control circuit 24, and actually performs the JPEG compression on the read YUV signal so as to determine the compressed size. The determined compressed size value is taken from the JPEG codec 34 in a step S13, and the compression ratio of the JPEG codec 34 is renewed according to the equation 1 (see page 7, line 20) in step S15.

With regard to these features of claim 10, the Examiner asserts that Tsujino et al. discloses:

> a digital camera (digital camera 10 which has continuous shot mode, Figure 1, Column 6, Lines 12-25) that periodically creates, until a recording instruction is issued, a first still image (preceding image data, Column 8, Lines 21-35) corresponding to an object scene which is incapable of being displayed in real time, and creates, when the recording is issues, a second still image (current shot image data, Column 8, Lines 21-35) corresponding to the object scene so as to record into a recording medium (memory card 50, Figure 1, Column 5, Lines 27-32) in a compressed manner, comprising: a calculator for calculating a specific compression ratio coefficient in which the first still image can be compressed up to a specific size (a compression ratio for the current shot image data is calculated based on a size of the preceding compressed image data, the preceding compression ratio and a target size, Column 8, Lines 21-35, Figures 4-5, Steps, 37,39, Column7, Lines 45-52).[1]

However, the Examiner is clearly mis-characterizing the teachings of Tsujino et al., since Tsujino et al. discloses in lines 23-28 of col. 8 that, "[a]fter the preceding shot image **has been recorded**, the compression ratio data (X4) in the register 46a is transferred to the register 46b.

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[1] Please see, lines 15-26, page 4 of the Action.

Then, during recording a current shot image (shot image 4), a compression process is executed with the compression ratio data (X4) stored in the RAM 46b." (Emphasis added.)

Moreover, as shown in Fig. 3 of Tsujino et al., if it is determined that the shutter button 54 has <u>not</u> been depressed, that is, before a recording operation is issued, a subroutine of an AE process (Fig. 7) in step S3, and <u>not</u> the continuous shot mode of step S9-S57 of Figs. 3-5, is performed.

In view of the above, it is clear that Tsujino et al. fails to disclose *a digital camera that periodically creates, until a recording instruction is issued, a first still image corresponding to an object scene which is incapable of being displayed in real time, and a calculator for calculating a specific compression ratio coefficient in which the first still image can be compressed up to a specific size*, as called for in claim 10.

In addition, claim 10 also calls for *a corrector for correcting the specific compression ratio coefficient when a compressed second still image created by said compressor does not satisfy a size condition including the specific size.*

For example, as shown in Fig. 3 of the present application, the determined compressed size value is taken from the JPEG codec 34 in step S23 and it is determined whether or not such compressed size value satisfies the size condition of equation 2 (see, page 8, line 20) in step S25.

In contrast, Tsujino et al. fails to disclose in the flow charts of Figs. 3-5, or in any other portion, a determination of whether a created compressed still image satisfies a size condition and correcting a specific compression ratio coefficient as a result of such a determination.

As such, it is respectfully submitted that Tsujino et al. fails to disclose or fairly suggest this feature of claim 10 concerning *a corrector for correcting the specific compression ratio coefficient when a compressed second still image created by said compressor does not satisfy a size condition including the specific size.*

In view of the aforementioned amendments and accompanying remarks, Applicant submits that that the claims are in condition for allowance. Applicant requests such action at an early date.
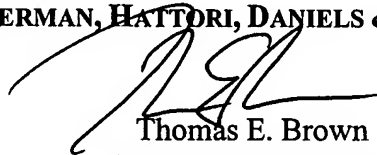
If the Examiner believes that this application is not now in condition for allowance, the Examiner is requested to contact Applicant's undersigned attorney to arrange for an interview to expedite the disposition of this case.

If this paper is not timely filed, Applicant respectfully petitions for an appropriate

extension of time. The fees for such an extension or any other fees that may be due with respect

to this paper may be charged to Deposit Account No. 50-2866.

Respectfully submitted,

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## AMENDMENTS TO THE DRAWINGS

The attached Replacement Drawing Sheet includes changes to Fig. 4. Fig. 4 has been amended such that the mis-spelling of the phrase "MEMORYC ONTROL" has been corrected to --MEMORY CONTROL--.